

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Hercules Technology Growth Capital, Inc.,
derivatively on behalf of Active Response Group,
Inc.,

Plaintiff,

-against-

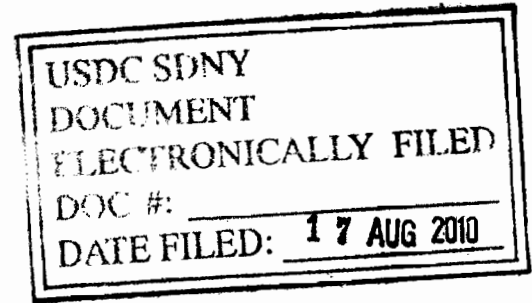
Brad Powers, Leland H. Nolan, Jud Traphagen,
Florin C. Vicol, and Bhavin Shah,

Defendants.

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GEORGE B. DANIELS, District Judge:

Defendants Leland H. Nolan and Florin C. Vicol's motion to dismiss Plaintiff's
Amended Complaint is granted. Plaintiff is granted leave to move to file a proposed Second
Amended Complaint.

Dated: August 13, 2010
New York, New York



09 cv 10160

ORDER

SO ORDERED:

A handwritten signature in cursive script that reads "George B. Daniels".

GEORGE B. DANIELS
United States District Judge